

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

RANDY JAY SMITH,

Plaintiff,

v.

STEVEN SCHNEIDER AND NEIL JENSON,

Defendants.

ORDER

14-cv-226-wmc

Plaintiff Randy Jay Smith has filed a proposed civil action under 42 U.S.C. § 1983, concerning his religious rights at the Sand Ridge Secure Treatment Center, where he is in custody pursuant to Wis. Stat. ch. 980. He has filed a motion for leave to proceed without prepayment of fees. (Dkt. #2).

As proof of his indigence, plaintiff has filed a certified copy of his six-month resident account statement so that the court can calculate what amount of money, if any, plaintiff would have to prepay towards the filing fee. After considering the motion and supporting documentation, the court concludes that plaintiff qualifies for indigent status.

Using information for the relevant time period from plaintiff's resident account statement, I calculate plaintiff's initial partial filing fee to be \$9.90. For this case to proceed, plaintiff must submit this amount on or before May 13, 2014.

ORDER

IT IS ORDERED that:

1. The motion filed by plaintiff Randy Jay Smith for leave to proceed without prepayment of fees (Dkt. # 2) is GRANTED. Plaintiff is assessed \$9.90 as an initial partial payment of the \$350 fee for filing this case as an indigent litigant. He shall submit a check or money order made payable to the "Clerk of Court" in the amount of \$9.90 on or before May 13, 2014. Plaintiff is advised that, if he fails to comply as directed or show cause of his failure to do so, the court will assume that he does not wish to proceed and this case will be dismissed without further notice.
2. No further action will be taken in this case until the clerk's office receives plaintiff's initial partial filing fee as directed above and the court has screened the complaint as required by 28 U.S.C. § 1915(e)(2). Once the screening process is complete, a separate order will issue.

Entered this 16th day of April, 2014.

BY THE COURT:

/s/
PETER OPPENEER
Magistrate Judge